



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor
C. Stephen Allred, Director

December 29, 2000

CERTIFIED MAIL #7099 3220 0006 2682 1054

Hank Nelson
Environmental Coordinator
Avista Corporation
1411 East Mission
Spokane, Washington 99220

RE: T1-9601-149, Avista Corporation, Rathdrum
(Final Tier I Operating Permit No. 055-00040)

Dear Mr. Nelson:

The Idaho Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit Number 055-00040 for Avista Corporation, in accordance with Title V of the Clean Air Act and IDAPA 58.01.01.300 through 386 (*Rules for the Control of Air Pollution in Idaho*). This operating permit which is effective immediately summarizes the applicable requirements for your facility and requires an annual compliance certification for all emissions units.

The enclosed operating permit is based on the information contained in your permit application, received November 6, 1995. Modifications to and/or renewal of this operating permit shall be requested in a timely manner in accordance with the *Rules for the Control of Air Pollution in Idaho*.

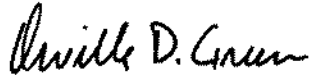
You are strongly encouraged to attend a meeting with DEQ to discuss the permit terms and requirements with which your facility must comply. Tom Harman of the Coeur d'Alene Regional Office will contact you regarding this meeting. DEQ strongly recommends that in addition to your facility's plant manager, your responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions also attend the meeting.

You, as well as any other entity, have the right to appeal this final agency action pursuant to Idaho Department of Health and Welfare Rules, Title 5, Chapter 3, "*Rules Governing Contested Case Proceedings and Declaratory Rulings*," by filing a petition with the Hearings Coordinator, DEQ, 1410 N. Hilton, Boise, ID 83706-1255, within thirty-five (35) days of the date of this decision. Also, in accordance with IDAPA 58.01.01.366.04.a, any person may petition the Environmental Protection Agency (EPA) to object to this permit within sixty (60) days after the expiration of the EPA's forty-five (45) day review period.

However, we encourage you to contact Marjorie MartzEmerson to address any concerns you may have with the enclosed permit prior to filing a petition for a contested case.

If you have any questions, please contact Gwen Fransen at (208) 769-1422 or Marjorie MartzEmerson at (208) 373-0502.

Sincerely,



Orville D. Green
Program Administrator
State Air Quality Program

ODG/DP:bm:ms TVcover.doc

Enclosure

Copy: Coeur d'Alene Regional Office
DEQ State Office
Laurie Kral, EPA Region X

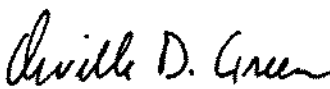
State of Idaho Department of Environmental Quality AIR POLLUTION OPERATING PERMIT GENERAL INFORMATION	PERMIT NUMBER <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="border: 1px solid black; padding: 2px;">5</div> <div style="border: 1px solid black; padding: 2px;">5</div> <div style="margin: 0 5px;">-</div> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="border: 1px solid black; padding: 2px;">4</div> <div style="border: 1px solid black; padding: 2px;">0</div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 5px;"> <div style="text-align: center;"> AQCR <div style="border: 1px solid black; padding: 2px;">0</div> <div style="border: 1px solid black; padding: 2px;">6</div> <div style="border: 1px solid black; padding: 2px;">2</div> </div> <div style="text-align: center;"> CLASS <div style="border: 1px solid black; padding: 2px; width: 30px;">A</div> </div> <div style="text-align: center;"> SIC <div style="border: 1px solid black; padding: 2px;">4</div> <div style="border: 1px solid black; padding: 2px;">9</div> <div style="border: 1px solid black; padding: 2px;">1</div> <div style="border: 1px solid black; padding: 2px;">1</div> </div> </div> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 5px;"> <div style="text-align: center;"> ZONE <div style="border: 1px solid black; padding: 2px;">1</div> <div style="border: 1px solid black; padding: 2px;">1</div> </div> <div style="text-align: center;"> UTM COORDINATE (km) <div style="border: 1px solid black; padding: 2px;">5</div> <div style="border: 1px solid black; padding: 2px;">1</div> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="margin: 0 5px;">.</div> <div style="border: 1px solid black; padding: 2px;">0</div> <div style="margin: 0 10px;">,</div> <div style="border: 1px solid black; padding: 2px;">5</div> <div style="border: 1px solid black; padding: 2px;">2</div> <div style="border: 1px solid black; padding: 2px;">9</div> <div style="border: 1px solid black; padding: 2px;">4</div> <div style="margin: 0 5px;">.</div> <div style="border: 1px solid black; padding: 2px;">3</div> </div> </div>	
1. PERMITTEE Avista Corporation		
2. PROJECT Tier 1 Operating Permit (Gas Turbines)		
3. MAILING ADDRESS 1411 East Mission Avenue	TELEPHONE # (509) 495-4613	COUNTY Kootenai
4. CITY Spokane	STATE Washington	ZIP CODE 99220
5. FACILITY CONTACT Hank Nelson	TITLE Environmental Compliance Coordinator	
6. RESPONSIBLE OFFICIAL Rob Fukai	TITLE Vice President, External Relations	
7. EXACT PLANT LOCATION SW 1/4 Section 32, Township 25 North-Range 4 West approximately 2 miles SE of Rathdrum		
8. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS Electricity Generation		
9. PERMIT AUTHORITY <p>This Tier I operating permit is issued pursuant to Idaho Code § 39-115 and the <i>Rules for the Control of Air Pollution in Idaho</i>, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.</p> <p>This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.</p> <p>The effective date of this permit is the date of signature by DEQ on the cover page.</p>		
		ISSUED DATE: December 29, 2001
PROGRAM ADMINISTRATOR, STATE AIR QUALITY PROGRAM DEPARTMENT OF ENVIRONMENTAL QUALITY		EXPIRATION DATE: December 29, 2004

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**AIR POLLUTION OPERATING PERMIT
PERMITTEE, PROJECT, AND LOCATION**

Avista Corporation
Rathdrum, Idaho
Final Tier 1 Operating Permit

PERMIT NUMBER

0	5	5	-	0	0	0	4	0
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The permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

SOURCE
A. FACILITY-WIDE CONDITIONS
A. FACILITY-WIDE CONDITIONS
Fugitive Emissions

- A.1. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651.
[IDAPA 58.01.01.650-651, 5/1/94]
- A.2. Unless specified elsewhere in this permit, the permittee shall monitor and record the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.
[IDAPA 58.01.01.322.06, .07, 5/1/94]
- A.3. Unless specified elsewhere in this permit, the permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after a valid complaint is received. The records shall, at a minimum, include the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, .07, 5/1/94]
- A.4. Unless specified elsewhere in this permit, the permittee shall conduct a quarterly facility-wide fugitive emission inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each quarterly fugitive emission inspection. The records shall, at a minimum, include the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions are present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, .07, .08, 5/1/94]

Odors

- A.5. No person shall allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.
[IDAPA 58.01.01.775-776, 5/1/94 (Federally enforceable; however, this provision will become state-only enforceable upon removal from the SIP)]
- A.6. Unless specified elsewhere in this permit, the permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall, at a minimum, include the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06,.07 (state only), 5/1/94]

ISSUED DATE:	December 29, 2000
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055 - 00040

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SOURCE
A. FACILITY-WIDE CONDITIONS
Visible Emissions

- A.7. No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period which is greater than twenty percent (20%) opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas are the only reason(s) for the failure of the emission to comply with the requirements of this section.
- [IDAPA 58.01.01.625, 5/1/94]
- A.8. Unless specified elsewhere in this permit, the permittee shall conduct a quarterly facility-wide visible emission inspection of potential point sources of visible emissions, during daylight hours and under normal operating conditions. Unless visible emissions are present, no formal Method 9 visible emissions observation is required. If any visible emissions are present from any point of emission, the permittee shall take immediate corrective action to remedy the cause of the visible emissions. If the corrective action does not eliminate the visible emissions, then a Method 9 visible emission observation must be conducted. If opacity is greater than twenty percent (20%) for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each quarterly visible emission inspection. The records shall, at a minimum, include the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed) and any corrective action taken in response to the visible emissions.
- [IDAPA 58.01.01.322.06, .07, .08, 5/1/94]

Excess Emissions

- A.9. Unless specified elsewhere in this permit, the permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 130-136 shall govern in the event of conflicts between the subsections of A.9. and the regulations of IDAPA 130-136.
- A.9.1. The person responsible for, or in charge of a facility during, an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing such excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of the Department, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.
- [IDAPA 58.01.01.132, 4/5/00]
- A.9.2. In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with Sections 133.01(a) through (d), including, but not limited to:
- [IDAPA 58.01.01.133, 4/5/00]

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PERMITTEE, PROJECT, AND LOCATION**

Avista Corporation
Rathdrum, Idaho
Final Tier 1 Operating Permit

PERMIT NUMBER

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The permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

SOURCE
A. FACILITY-WIDE CONDITIONS

A.9.2.1. A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory and/or a Wood Stove Curtailment Advisory has been declared by the Department; and
[IDAPA 58.01.01.133.01.a, 3/20/97]

A.9.2.2. Notifying the Department of the excess emissions event as soon as reasonably possible, but no later than two (2) hours prior to the start of the excess emission event unless the owner or operator demonstrates to the Department's satisfaction that a shorter advanced notice was necessary.
[IDAPA 58.01.01.133.01.b, 4/5/00]

A.9.2.3. The owner or operator of a source of excess emissions shall report and record the information required pursuant to Sections A.9.4. and A.9.5. of this permit and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.
[IDAPA 58.01.01.133.01.c, 3/20/97]

A.9.3. In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with Sections 134.01(a) and (b) and the following:
[IDAPA 58.01.01.134, 4/5/00]

A.9.3.1. For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:
[IDAPA 58.01.01.134.02, 4/5/00]

A.9.3.1.1. The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.
[IDAPA 58.01.01.134.02.a, 4/5/00]

A.9.3.1.2. The owner or operator shall notify the Department of any upset/breakdown/safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than twenty-four (24) hours after the event, unless the owner or operator demonstrates to the Department's satisfaction that the longer reporting period was necessary.
[IDAPA 58.01.01.134.02.b, 4/5/00]

A.9.3.1.3. The owner or operator shall report and record the information required pursuant to Sections A.9.4. and A.9.5. of this permit and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.
[IDAPA 58.01.01.134.02.c, 3/20/97]

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SOURCE
A. FACILITY-WIDE CONDITIONS

- A.9.3.2. During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, the Department may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the excess emissions until such time as the condition causing the excess emissions has been corrected or brought under control. Such action by the Department shall be taken upon consideration of the factors listed in Section 134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

- A.9.4. A written report for each excess emissions event shall be submitted to the Department by the owner or operator no later than fifteen (15) days after the beginning of each such event. Each report shall contain the information specified in Section 135.02.

[IDAPA 58.01.01.135.01, .02, 3/20/97]

- A.9.5. The owner or operator shall maintain excess emissions records at the facility for the most recent five (5) calendar year period. The excess emissions records shall be made available to the Department upon request. The excess emissions records shall include the information requested by Section 136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, .02, .03, 3/20/97]

- A.9.5.1. An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to the Department pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

- A.9.5.2. Copies of all startup, shutdown, and scheduled maintenance procedures and upset/breakdown/safety preventative maintenance plans which have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97][IDAPA 58.01.01.130-136, 4/5/00 (State Only; however, this provision will become federally enforceable upon EPA approval into the SIP), IDAPA 58.01.01.322.08.b, 3/23/98]

Reports and Certifications

- A.10. All periodic reports and certifications required by this permit shall be submitted within thirty (30) days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

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SOURCE
A. FACILITY-WIDE CONDITIONS

The periodic compliance certification required by General Provision 21 shall also be submitted within thirty (30) days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Avenue
Seattle, WA 98101

[IDAPA 58.01.01.322.08,11, 5/1/94]

Monitoring and Recordkeeping

- A.11. The permittee shall maintain sufficient record keeping to assure compliance with all of the terms and conditions of this operating permit. Recording of monitoring information shall include, but not be limited to: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available to Department representatives upon request in either hard copy or electronic format.

[IDAPA 58.01.01.322.07, 5/1/94]

Open Burning

- A.12. The permittee shall comply with the requirements of IDAPA 58.01.01.600-616, Rules for Control of Open Burning.

[IDAPA 58.01.01.600-616, 5/1/94]

Renovation and Demolition

- A.13. The permittee shall comply with all applicable portions of 40 CFR Part 61, Subpart M when conducting any renovation or demolition activities at the facility.

[40 CFR 61 Subpart M]

Regulated Substances for Accidental Release Prevention

- A.14. A permittee of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR Part 68 no later than the latest of the following dates:

- A.14.1. Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130; or

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SOURCE**A. FACILITY-WIDE CONDITIONS**

- A.14.2. The date on which a regulated substance is first present above a threshold quantity in a process.
[40 CFR 68.10 (a)]

Test Methods

- A.15. If testing is required, the permittee shall use the following test methods and to measure the pollutant emissions:

Pollutant	Test Method	Special Conditions
PM ₁₀	EPA Method 201A*	
PM	EPA Method 5*	
NO _x	EPA Method 7*	
SO ₂	EPA Method 6*	
CO	EPA Method 10*	
VOC	EPA Method 25* or 25 A*	
Opacity	EPA Method 9*	If NSPS source, IDAPA 58.01.01.625 and Method 9; otherwise, IDAPA 58.01.01.625 only.

* Or Department-approved alternative in accordance with IDAPA 58.01.01.157

Fuel-Burning Equipment

- A.16. The permittee shall not discharge to the atmosphere from any fuel-burning equipment particulate matter in excess of 0.015 grains per dry standard cubic foot (gr/dscf) of effluent gas corrected to three percent (3%) oxygen by volume for gas, 0.050 gr/dscf of effluent gas corrected to three percent (3%) oxygen by volume for liquid, 0.050 gr/dscf of effluent gas corrected to eight percent (8%) oxygen by volume for coal, and 0.080 gr/dscf of effluent gas corrected to eight percent (8%) oxygen by volume for wood products.

[IDAPA 58.01.01.676-677, 5/1/94]

Sulfur Content

- A.17. No person shall sell, distribute, use or make available for use, any distillate fuel oil containing more than the following percentages of sulfur:

A.17.1. ASTM Grade 1 fuel oil - 0.3 percent by weight.

A.17.2. ASTM Grade 2 fuel oil - 0.5 percent by weight.

[IDAPA 58.01.01.728, 5/1/94]

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SOURCE
A. FACILITY-WIDE CONDITIONS
Compliance Testing

- A.18. If testing is required, the permittee shall provide notice of intent to test to the Department at least fifteen (15) days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by Department approval. The Department may, at its option, have an observer present at any emissions tests conducted on a source. The Department requests that such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior Department approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by the Department for any testing deviations, the Department may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any compliance test, the permittee is strongly encouraged to submit in writing to the Department, at least thirty (30) days in advance, the following for approval:

- ▶ The type of method to be used;
- ▶ Any extenuating or unusual circumstances regarding the proposed test; and
- ▶ The proposed schedule for conducting and reporting the test.

Within thirty (30) days following the date in which a compliance test required by this permit is concluded, the permittee shall submit to DEQ a compliance test report for the respective test. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to:

Air Quality Permit Compliance
Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
(208) 769-1422 Fax: (208) 769-1404

[IDAPA 58.01.01.157, 4/5/00; 322.06, .08.a, .09, 5/1/94]

Recycling and Emissions Reductions

- A.19. The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82 Subpart F]

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SOURCE
A. FACILITY-WIDE CONDITIONS
NSPS

- A.20. All requests, reports, applications, submittals, and other communications to the Administrator pursuant to 40 CFR 60 (NSPS) shall be submitted in duplicate to the Region X Office of the EPA to the attention of the Director of the Office of Air Quality. All information required to be submitted to EPA for applicable NSPS requirements, must also be submitted to DEQ. **[40 CFR 60.4]**
- A.21. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice. **[40 CFR 60.7(a)(4)]**
- A.22. Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. **[40 CFR 60.7(b)]**
- A.23. Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology; (2) approves the use of an equivalent method; (3) approves the use of an alternative method, the results of which he has determined to be adequate for indicating whether a specific source is in compliance; (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard; or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under Section 114 of the Act.

Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to

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The permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

SOURCE
A. FACILITY-WIDE CONDITIONS

operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated state or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated state or local agency) by mutual agreement.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

- (1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
- (2) Safe sampling platform(s).
- (3) Safe access to sampling platform(s).
- (4) Utilities for sampling and testing equipment.

Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

[40 CFR 60.8]

- A.24. The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

[40 CFR 60.11(c)]

- A.25. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

- A.26. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any

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SOURCE
A. FACILITY-WIDE CONDITIONS

credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11(g)]

- A.27. No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

- A.28. A change to an existing facility may constitute a modification or reconstruction as described in 40 CFR 60.14 and 15 respectively. The source can request a determination of reconstruction or modification as described in 40 CFR 60.5.

[40 CFR 60.5, 14, & 15]

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SOURCE
B. GENERAL ELECTRIC COMBUSTION TURBINES #1 & #2
B. GENERAL ELECTRIC COMBUSTION TURBINES #1 & #2

The following requirements apply generally to each turbine:

Permit Conditions	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring & Record- keeping Requirements
B.1	PM	0.015 gr/dscf @ 3% O ₂ for gas	IDAPA 58.01.01.677	B.10
B.2	Opacity	20% for three (3) minutes in any sixty (60) minute period	IDAPA 58.01.01.625 PTC #055-00040	A.8
B.3	PM & PM-10	14 lb/hr & 46.2 ton/yr	PTC #055-00040	B.8, B.9, B.10
B.4	NO _x	104 lb/hr & 235.5 ton/yr	PTC #055-00040	B.9, B.13, B.17
B.5	VOC	3.6 lb/hr & 11.9 ton/yr	PTC #055-00040	B.8, B.9, B.10
B.6	SO ₂	6.0 lb/hr & 19.8 ton/yr	PTC #055-00040	B.8, B.9, B.10, B.14
B.7	CO	106 lb/hr & 240 ton/yr	PTC #055-00040	B.9, B.16, B.17
B.8	Fuel	Natural gas exclusively	PTC #055-00040	B.15
B.9	Operating Time	Turbines limited to 13,200 hr/yr	PTC #055-00040	B.10, B.11
B.12	NO _x Concentration	0.010% by vol. @ 15% oxygen	40 CFR 60.332(a)(2) PTC #055-00040	B.13, B.17
B.14	SO ₂ Concentration	0.015% by vol. @ 15% oxygen or fuel sulfur not in excess of 0.8%	40 CFR 60.333 PTC #055-00040	B.8, B.15
B.15	Fuel Sulfur Content	0.8 percent by weight	40 CFR 60.333(b) PTC #055-00040	B.15

- B.1. Particulate matter emissions from each turbine shall not exceed the grain loading emission limits of 0.015 grains per dry standard cubic foot (gr/dscf) of effluent gas corrected to three percent (3%) oxygen by volume for natural gas.
[IDAPA 58.01.01.677, 5/1/94]
- 3.2. No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period which is greater than twenty percent (20%) opacity as determined by procedures contained in the IDAPA 58.01.01.625 (*Rules for the Control of Air Pollution in Idaho*).
[IDAPA 58.01.01.625, 4/5/00]

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SOURCE
B. GENERAL ELECTRIC COMBUSTION TURBINES #1 & #2

- B.3. Particulate matter (PM) and particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM-10) from turbine operations (a total of two) shall not exceed 14 pounds per hour or 46.2 tons per any consecutive 12 months.
[PTC#055-00040, 8/4/99]
- B.4. Emissions of nitrogen oxides (NOx) from turbine operations (a total of two) shall not exceed 104 pounds per hour or 235.5 tons per any consecutive 12 months.
[PTC#055-00040, 8/4/99]
- B.5. Emissions of volatile organic compounds (VOC) from the turbine operations (a total of two) shall not exceed 3.6 pounds per hour or 11.9 tons per any consecutive 12 months.
[PTC#055-00040, 8/4/99]
- B.6. Emissions of sulfur dioxide (SO₂) from the turbine operations (a total of two) shall not exceed 6 pounds per hour or 19.8 tons per any consecutive 12 months.
[PTC#055-00040, 8/4/99]
- B.7. Emissions of carbon monoxide (CO) from the turbine operations (a total of two) shall not exceed 106 pounds per hour or 240 tons per any consecutive 12 months.
[PTC#055-00040, 8/4/99]
- B.8. Each of the turbines shall be exclusively fired by natural gas only.
[PTC#055-00040, 8/4/99]
- B.9. The total combined turbine operations shall be restricted to a maximum of 13,200 hours in a calendar year.
[PTC#055-00040, 8/4/99]
- B.10. The permittee shall monitor and record the hours of operation and hourly usage of natural gas from each of the turbines.
[PTC#055-00040, 8/4/99]
- B.11. The permittee shall record the hours of operation for each turbine in a monthly report to be kept on-site for a five (5) year minimum period and made available to Department representatives upon request.
[PTC#055-00040, 8/4/99, IDAPA 58.01.01.322.07, 5/1/94]
- B.12. Emissions of nitrogen oxides (NOx) from each of the turbines shall not exceed 0.010 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis as required by 40 CFR 60.332(a). The permittee shall not cause to be discharged to the atmosphere from any gas turbine, any gases which contain nitrogen oxides in excess of:

$$\frac{\text{STD} + 0.0075(14.4)}{Y} + F$$

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SOURCE
B. GENERAL ELECTRIC COMBUSTION TURBINES #1 & #2

Where:

STD = Allowable NO_x emissions (percent by volume at 15 percent oxygen and on a dry basis).

Y = Manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO_x emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332
[40CFR332(a)][PTC#055-00040, 8/4/99]

B.13. The permittee shall install, calibrate, maintain, and operate a continuous emissions monitoring system for the monitoring and recording of stack gas concentrations, and pound-per-hour emission rate of nitrogen oxides from each turbine. The continuous emission monitoring system shall conform with the requirements for nitrogen oxide continuous emission monitoring requirements of 40 CFR 75 including measuring the concentration of oxygen.
[PTC#055-00040, 8/4/99]

B.14. Emissions of sulfur dioxide (SO₂) from each of the turbines shall not exceed 0.015 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis or the permittee shall not burn fuel which contains sulfur in excess of 0.8 percent by weight.
[40CFR333][PTC#055-00040, 8/4/99]

B.15. The permittee shall monitor fuel sulfur content in accordance with the April 2, 1998 custom Alternative Monitoring Plan approved by EPA Region X. Following are the requirements of the Alternative Monitoring Plan:

B.15.1. The alternative applies only during the use of pipeline-quality natural gas supplied exclusively by Pacific Gas Transmission Company and does not alter any of the other requirements of NSPS Subpart A and GG which may apply to the facility.

B.15.2. The permittee shall monitor the sulfur content of the natural gas semi-annually. The permittee may submit data from its fuel supplier, Pacific Gas Transmission Company, under a separate cover.

B.15.3. Nitrogen monitoring shall be waived for pipeline-quality natural gas.

B.15.4. The permittee shall maintain records of all sulfur monitoring data.

B.15.5. The permittee shall maintain a record documenting a constant supplier or source of fuel. A substantial change in fuel quality shall be considered a change in fuel supply.

B.15.6. The permittee shall maintain a daily record of all turbine operation on fuels other than pipeline-quality natural gas.

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SOURCE
B. GENERAL ELECTRIC COMBUSTION TURBINES #1 & #2

- B.15.7. The permittee shall maintain all records on-site for a period of five years from the generation of each such record.
- B.15.8. The permittee shall report results of all sulfur monitoring semi-annually.
- B.15.9. The permittee shall report any changes in supplier or source of fuel within 60 days of such a change.
- B.15.10. The permittee shall report use of any fuel other than pipeline-quality natural gas within 60 days of such use.
[EPA-Approved Monitoring Plan, April 2, 1998][40 CFR 334(b)]
- B.16. The permittee shall install, calibrate, maintain, and operate a continuous emissions monitoring system for the monitoring and recording of stack gas concentrations and hourly emission rates of carbon monoxide from each turbine. The carbon monoxide continuous monitoring system shall meet all specifications and requirements of CEM Certification Application, including all the of the Quality Assurance Plan, dated December 22, 1999 which was submitted to EPA Region 10 and the Idaho DEQ.
[CEM CERTIFICATION APPLICATION, 10/24/95][IDAPA 322.06, 5/21/94]
- B.17. The permittee shall report the continuous emission monitoring data acquired by the monitoring required by Sections B.13. and B.16. to the Department and the United States Environmental Protection Agency in a calendar quarterly report to be received no later than 30 days after each calendar quarter.
[PTC#055-00040, 8/4/99]
- B.18. All documents including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, and compliance certifications submitted to DEQ shall contain a certification by a responsible official. The certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.
[PTC#055-00040, 8/4/99]

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SOURCE
C. INSIGNIFICANT ACTIVITIES
C. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01.b are required to be listed in the Tier I OP to qualify for a permit shield.

Description	Insignificant Activities IDAPA Citation Section 317.01.b.i
Storage tanks with lids or closure < 260 gal.	317.01.b.i.1
Storage tanks < 1,100 gallons, no HAPs, Maximum vapor pressure 550 mm mercury (Hg).	317.01.b.i.2
VOC storage tank < 10,000 gal, with lid or closure, vapor pressure < 80 mm Hg @ 21 degrees Celsius; and gasoline storage tanks with lid or closure < 10,000 gallons	317.01.b.i.3
Butane, propane, and LPG storage tank < 40,000 gallons	317.01.b.i.4
Natural gas, butane, propane (LPG) combustion < 5,000,000 Btu/hr	317.01.b.i.5
Welding < one ton per day of welding rod	317.01.b.i.9
Water cooling towers and ponds, not using chromium inhibitors, not using barometric jets or condensers, not > 10,000 gpm, not in direct contact with process streams containing regulated air pollutants	317.01.b.i.13
Cleaning and stripping activities and equipment, < 1% VOC by weight. Acid solutions on metallic substrate is not insignificant.	317.01.b.i.26
An emission unit or activity with emissions less than or equal to 10% of levels contained in IDAPA 58.01.01.006 of the definition of significant and no more than one (1) ton per year of any hazardous air pollutant.	317.01.b.i.30
Space heater using natural gas, propane, or kerosene < 5,000,000 Btu/hr	317.01.b.i.18

2.1

There are no additional monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in Part A (Facility-Wide Conditions) of this OP.

[IDAPA 58.01.01.322.06]

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SOURCE
D. TITLE IV ACID RAIN PERMIT FOR GENERAL ELECTRIC COMBUSTION TURBINES NO. 1 AND NO. 2
D. TITLE IV ACID RAIN PERMIT FOR GENERAL ELECTRIC COMBUSTION TURBINES NO. 1 AND NO. 2
D.1. Statement of Basis

Statutory and Regulatory Authorities: In accordance with IDAPA 58.01.01 (*Rules for the Control of Air Pollution in Idaho*) and Titles IV and V of the Clean Air Act, the Idaho Department of Environmental Quality issues this permit pursuant to IDAPA 58.01.01.300.

D.2. SO₂ Allowance Allocations and NO_x Requirements

Avista Corporation is not required to obtain SO₂ allowances under 40 CFR 73 and the source is not subject to NO_x limits of 40 CFR 76.

D.3. Comments, Notes, and Justifications

None.

D.4. Compliance with Permit Application

The owners and operators of Avista Corporation shall comply with the standard requirements and special provisions set forth in the EPA Phase II standard application signed and dated December 12, 1997.

D.5. Permit Application

Attached is a copy of the Phase II permit application.

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TIER I OPERATING PERMIT GENERAL PROVISIONS**GENERAL COMPLIANCE**

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a; 40 CFR § 70.6(a)(6)(i)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b; 40 CFR § 70.6(a)(6)(ii)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01; 40 CFR § 70.5(b)]

REOPENING

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c; IDAPA 58.01.01.386; 40 CFR § 70.7(f)(1) and (2); 40 CFR § 70.6(a)(6)(iii)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d; 40 CFR § 70.6(a)(6)(iii)]

PROPERTY RIGHTS

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e; 40 CFR § 70.6(a)(6)(iv)]

INFORMATION REQUESTS

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing or terminating the permit or to determine compliance with the permit.
[Idaho Code § 39-108; IDAPA 58.01.01.122 and 322.15.f; 40 CFR § 70.6(a)(6)(v)]
8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.
[IDAPA 58.01.01.322.15.g; IDAPA 58.01.01.128; 40 CFR § 70.6(a)(6)(v)]

SEVERABILITY

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
[IDAPA 58.01.01.322.15.h; 40 CFR § 70.6(a)(5)]

CHANGES REQUIRING PERMIT REVISION OR NOTICE

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under Section 213, or complying with Section 220 through 223. The permittee shall comply with Sections 380 through 386 as applicable.
[IDAPA 58.01.01.200 through 223; IDAPA 58.01.01.322.15.i; IDAPA 58.01.01.380 through 386; 40 CFR § 70.4(b)(12), (14) and (15), and § 70.7(d) and (e), Section 213 is a state-only requirement, but has been submitted to EPA for federal approval.]
1. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 USC Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 USC Section 7401 through 7515. Administrative amendments (Section 381), minor permit

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modifications (Section 383), and significant permit modifications (Section 382) require a revision to the Tier I operating permit. Section 502(b)(10) charges are authorized in accordance with Section 384. Off-permit changes and required notices are authorized in accordance with Section 385.

[IDAPA 58.01.01.381 through 385; IDAPA 58.01.01.209.05; 40 CFR § 70.4(b)(14) and (15)]

FEDERAL AND STATE ENFORCEABILITY

12. Unless specifically identified as a "state-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) By DEQ in accordance with state law; and (ii) By the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j; 40 CFR § 70.6(b)(1) and (2)]

13. Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code § 39-108; IDAPA 58.01.01.322.15.k]

INSPECTION AND ENTRY

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:

- a. Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- d. As authorized by the Idaho Environmental Protection and Health Act, sample or monitor at reasonable times substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.i; 40 CFR § 70.6(c)(2)]

NEW REQUIREMENTS DURING PERMIT TERM

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10; IDAPA 58.01.01.314.10.a.ii; 40 CFR § 70.6(c)(3) citing § 70.5(c)(8)]

FEES

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.

[IDAPA 58.01.01.322.15.n; 40 CFR § 70.6(a)(7)]

CERTIFICATION

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o; 40 CFR § 70.6(a)(3)(iii)(A); 40 CFR § 70.5(d)]

RENEWAL

- 18.a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six (6) months before but no earlier than eighteen (18) months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine (9) months prior to the date of expiration.

[IDAPA 58.01.01.313.03; 40 CFR § 70.5(a)(1)(iii)]

- b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to Section 325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p; 40 CFR § 70.7(b)]

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PERMIT SHIELD

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- a. Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
 - b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), Section 382.04 (significant modifications), and Section 384.03 (trading under an emissions cap).
 - c. Nothing in this permit shall alter or affect the following:
 - i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - ii. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.
 [Idaho Code §§ 39-108 and 112; IDAPA 58.01.01.122; IDAPA 58.01.01.322.15.m; IDAPA 58.01.01.325; IDAPA 58.01.01.381.04; IDAPA 58.01.01.382.04; IDAPA 58.01.01.383.05; IDAPA 58.01.01.384.03; IDAPA 58.01.01.385.03; 40 CFR § 70.6(f)]

COMPLIANCE SCHEDULE AND PROGRESS REPORTS

- 20.a. For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.
- [IDAPA 58.01.01.322.10; IDAPA 58.01.01.314.9&.10; 40 CFR 70.6(c)(3) and (4)]

PERIODIC COMPLIANCE CERTIFICATION

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
- a. Compliance certifications for all emissions units shall be submitted annually beginning twelve (12) months from the permit issuance date, or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ;
 - b. The compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards and work practices;
 - c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
 - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;

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- ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
 - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in paragraph 21.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;
 - iv. Such other facts as DEQ may require to determine the compliance status of the source.
- d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11; 40 CFR § 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (October 22, 1997);
40 CFR § 70.6(c)(5)(iv)]

FALSE STATEMENTS

22. No person shall knowingly make any false statement representation or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125]

NO TAMPERING

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126]

SEMI - ANNUAL MONITORING REPORTS

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six (6) months, starting six (6) months from the date of permit issuance. All instances of deviations from this operating permit's requirements must be clearly identified in the report. All required reports must be certified in accordance with IDAPA 58.01.01.123.

[IDAPA 58.01.01.322.15.q and 322.08.c; 40 CFR § 70.6(a)(3)(iii)]

REPORTING DEVIATIONS AND EXCESS EMISSIONS

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q; IDAPA 58.01.01.135; 40 CFR § 70.6(a)(3)(iii)]

PERMIT REVISION NOT REQUIRED

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[IDAPA 58.01.01.322.05.b; 40 CFR § 70.6(a)(8)]

EMERGENCY

27. In accordance with IDAPA 58.01.01.332, an "Emergency" as defined at IDAPA 58.01.01.008., constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of Subsection 332.02 are met.

[IDAPA 58.01.01.332.01; 40 CFR § 70.6(g)]

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